



**CRM-M-50542-2024**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

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**CRM-M-50542-2024  
Decided on: January 13, 2025**

**Buta Singh**  
  
**.....Petitioner**  
  
**Versus**  
  
**State of Punjab**  
  
**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Ms. Ashu Rana, Advocate,  
for the petitioner.  
  
Mr. Amandeep Singh Samra, AAG, Punjab.  
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**SANJAY VASHISTH, J. (Oral)**

1. The instant petition has been filed under Section 483 of the BNSS, 2023, for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

| Name of Petitioner            | FIR No. | Date       | Section(s)                                                                                                        | Police Station | District  |
|-------------------------------|---------|------------|-------------------------------------------------------------------------------------------------------------------|----------------|-----------|
| Buta Singh<br>s/o Arjan Singh | 94      | 22.05.2021 | Sections 15(C) / 29/ 61/ 85, of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'NDPS Act') | Shahkot        | Jalandhar |

2. This Court is jointly informed by both the sides that commercial quantity of total 152 Kg. of poppy husk has been recovered from Truck No. PB-05-P-9095, which was driven by the petitioner – Buta

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Singh. Final report was submitted on 08.11.2021 and most of the witnesses are official. Out of total 19 prosecution witnesses, 6 witnesses have already been examined. It is further informed that 3 years 7 months and 22 days period has already been undergone by the petitioner inside jail and no other case is registered against him.

Learned counsel for the petitioner submits that petitioner is a young boy of about 27 years and is a sole bread earner in the family. In fact, he is victimized because of misdeeds of somebody else.

3. Submissions of both the sides have been considered and record also perused with their able assistance. There is no other case ever found registered against the petitioner, and his involvement in the crime is yet to be ascertained during trial, which is progressing at a very slow pace. Resultantly, without any finalisation of the allegations, the petitioner is constrained to remain inside jail for the last more than 3 years and 7 months.

4. In view of the totality of circumstances and the factors recorded hereinabove, the prayer made in the present petition is allowed. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

5. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.



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6.           The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.
7.           It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.
8.           Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**January 13, 2025**  
P Kapoor

Whether Speaking/Reasoned: **YES/NO**  
Whether Reportable: **YES/NO**